

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In re)
) Case No. 14-37053-PCM13
MARK A DENNEY)
)
) NOTICE AND MOTION TO DISMISS
) FOR FAILURE TO COMPLETE PLAN
) WITHIN SIXTY (60) MONTHS
Debtor(s).)

NOTICE OF MOTION TO DISMISS

If you oppose the proposed relief sought in this motion, you must file a written objection with the bankruptcy court no later than 14 days after the date listed in the certificate of service below. If you do not file an objection, the court may grant the motion without further notice or hearing. Your objection must set forth the specific grounds for objection and your relation to the case. The objection must be received by the clerk of court at 1050 SW 6th Ave., #700, Portland, OR 97204 by the deadline specified above or it may not be considered. You must also serve the objection on Wayne Godare, Standing Chapter 13 Trustee, 222 SW Columbia St., Ste. 1700, Portland, OR 97201 within that same time. If the court sets a hearing, you will receive a separate notice listing the hearing date, time, and other relevant information.

MOTION TO DISMISS

Wayne Godare, Standing Chapter 13 Trustee ("Trustee"), moves this Court for an order dismissing this case due to the failure of Debtor(s) to complete the plan within the sixty-month limit as required by 11 U.S.C. § 1322(d). The sixtieth plan payment was due in April 2018.

The plan appeared feasible at the time of confirmation. However, Debtor(s) failed to:

- ___ pay to the Trustee all required plan payments
- XX** pay to the Trustee all tax refunds as required by plan ¶1(c)
- ___ provide the Trustee copies of tax returns for tax year(s)
- ___ pay to the Trustee additional income as required by plan ¶
- ___ sell or refinance an interest in real property by

The amount necessary to pay off the case is approximately **\$182.72**. The Trustee requests the Court dismiss this case since the plan has run beyond the sixty-month limit and is not complete.

Dated: April 18, 2019

/s/ Wayne Godare, Trustee

I certify that on April 18, 2019, copies of this Motion were served on Debtor(s) via first class mail, at 1218 NW Prospect Ave., Grants Pass, OR 97526, and on the attorney for Debtor(s) electronically via ECF.

/s/ Wayne Godare, Trustee